

Proceedings of the Arizona Game and Fish
Commission License Revocation and Civil
Assessment Hearings
Time Certain – 2:00 p.m.
Friday, March 7, 2014
Oro Valley Council Chambers
11000 N. La Canada Drive
Oro Valley, Arizona 85737

PRESENT: (Commission)

(Director's Staff)

Vice Chairman John W. Harris
Commissioner Robert E. Mansell
Commissioner Kurt R. Davis
Commissioner Edward "Pat" Madden
Commissioner James R. Ammons

Director Larry D. Voyles
Deputy Director Ty E. Gray
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments
for the Illegal Taking and/or Possession of Wildlife

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented the cases below to the Commission. Each of these cases were reviewed and it was determined that all cases met the criteria established in A.R.S. §17-238, §17-245 §17-314, §17-340, §17-362, §17-363 and/or §17-502 for Commission action. The Commission and the respondents were provided with copies of the original court docket and case reports prepared by the officers along with copies of all other pertinent materials in each of these cases. Each of the following individuals was legally noticed for this hearing.

Name	Docket #	Count	Conviction
Michael C. Pryor	2014-0014	Count A:	Take Wildlife Without Valid License
		Count B:	Take Wildlife Without Valid Tag
		Count C:	Possess Unlawfully Taken Wildlife
Porfirio Gonzalez	2014-0017	Count A:	Exceed Bag Limit Wildlife
		Count B:	Take Wildlife Without Valid License
		Count C:	Possess Unlawfully Taken Wildlife
Eric Riggs	2014-0023	Count A:	Take Wildlife Closed Season
		Count D:	Cross Country Travel

Roll call was taken and the following were present: Michael Pryor and Porfirio Gonzalez.

Mr. Elms stated that the civil assessment process is not intended to be punitive, but is a process allowing the Commission to recover financial damages to compensate the State for the loss of any wildlife. Hunter Education requirements are imposed as a remedial measure to increase knowledge and prevent future violations and not as punishment. The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed above.

Motion: Madden moved and Davis seconded THAT THE COMMISSION VOTE TO TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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Michael C. Pryor

Docket # 2014-0014

Pryor was found guilty by the Flagstaff Justice Court for: Count A: Take wildlife without valid license; Count B: Take wildlife without valid tag; and Count C: Possess unlawfully taken wildlife; and sentenced: Combined Fine: \$1,665.00.

The Case Officer was present via video teleconference.

Pryor was present and addressed the Commission. He was in the field with his daughter who was licensed. His intention was to help her and he was teaching her. She wasn't able to take the animal so he made the mistake of helping her do it. He regrets his actions and what he has put his daughter through. He has no criminal record and this is not what he does or how he is. He asked for leniency and possibly community service instead of revocation and civil assessment.

Motion: Madden moved and Davis seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF MICHAEL C. PRYOR TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Harris, Davis, Madden, Ammons

Nay - Mansell

Passed 4 to 1

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Porfirio E. Gonzalez

Docket # 2014-0017

Gonzalez was found guilty by the Flagstaff Justice Court for: Count A: Exceed bag limit; Count B: Take wildlife without valid license; and Count C: Possess unlawfully taken wildlife; and sentenced: Fined: \$1,760.00.

The Case Officer was present via video teleconference.

Gonzalez was present and accompanied by his son for assistance with language translation. Gonzalez stated that he tried to only get one elk. He shot one and thought he didn't hit it, so he shot the second one and didn't see that one go down either. Then he shot again at one that looked like the same one that he already shot. Then he found out that he had shot more than one.

Commissioner Davis confirmed with Mr. Gonzalez that he didn't have a valid tag for Unit 7E.

Motion: Ammons moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **PORFIRIO E. GONZALEZ TO HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **PORFIRIO E. GONZALEZ** TO COLLECT THE AMOUNT OF **\$7,500.00** FOR THE LOSS OF **THREE (3) BULL ELK**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Mansell, Davis, Madden, Ammons
Nay - Harris
Passed 4 to 1

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Eric Riggs

Docket # 2014-0023

Riggs was found guilty by the Flagstaff Justice Court for Count A: Take wildlife during closed season; and sentenced: Fined: \$773.00.

The Case Officer was present via video teleconference.

Riggs was not present.

Motion: Ammons moved and Harris seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **ERIC RIGGS** TO **HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S

LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **ERIC RIGGS** TO COLLECT THE AMOUNT OF **\$2,500.00** FOR THE LOSS OF **ONE (1) COW ELK;** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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These hearings concluded at 2:30 p.m.

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